IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.7878 OF 2005

J.C.Mirani & Anr. .. Applicants
Versus
State of Maharashtra .. Respondent

Mr.A.K.Pradhan with J.S.Kini for applicants
mr.A.M.Saraogi for original complainant
Mr.R.Y.Mirza, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 20th December 2005.

P.C.

. This application for anticipatory bail would not survive despite my order dated 3rd December 2005 granting interim protection because even before the said order could be communicated, it is pointed out that, applicants were arrested and produced before the Metropolitan Magistrate who enlarged them on bail. The matter was adjourned with a view to give opportunity to

prosecution to make good its case that it was not aware of this order.

2. Affidavits have been filed but in my view, it is not necessary to go into any further details as interest of justice would be sub-served if the order passed by the learned Magistrate on 4th December 2005 is made operative till the conclusion of the trial. It would be open for the applicants to raise all contentions on merits at an appropriate stage. This application is disposed of. Additional affidavitis taken on record.

(S.C.DHARMADHIKARI, J)